IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.53279-M of 2006

DATE OF DECISION:31.10.2006

Kamaljit Singh @ Laddi .....Petitioner

Versus

State of U.T., Chandigarh .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri APS Doel, Advocate
for the petitioner.

Shri R.S. Rai, Standing
Counsel for U.T., Chandigarh.

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Petitioner Kamaljit Singh @ Laddi apprehending his arrest in a non-bailable offence in case FIR No. 305 dated 19.8.2006 under Sections 380/454 IPC, registered at Police Station Sector 34, Chandigarh has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the allegation against the petitioner is relating to the theft of two mobile phones. Counsel further contends that the case of the prosecution is based on the disclosure statement suffered by the petitioner when he was taken in custody earlier in another case. Counsel contends that these allegations have been levelled by the police with an oblique motive.

Counsel for the petitioner further contends that in view of the order dated 5.9.2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further states that the petitioner is no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 5.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 31, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**